



## DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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### Notice to Prospective Proposers

June 3, 2011

You are invited to review and respond to this Request for Proposal (RFP) Secondary, entitled DRR10073, Processing Fee/Handling Fee Cost Survey. In submitting your proposal, you must comply with the instructions herein.

Note that all Contracts entered into with the State of California will incorporate by reference General Terms and Conditions, Special Terms and Conditions and Contractor Certification Clauses which are referenced in Section II of this package. If you do not have Internet access, a hard copy can be provided by contacting the person listed below.

In the opinion of the Department of Resources Recycling and Recovery (CalRecycle) this RFP is complete and without need of explanation. However, if you have questions, or should you need any clarifying information, the contact person for this RFP is:

Bruce Ring  
[contracts@calrecycle.ca.gov](mailto:contracts@calrecycle.ca.gov)  
Phone: 916.341.6302  
Fax: 916.319.7345

Please note that no *verbal* information given will be binding upon the State unless such information is issued in writing as an official addendum.

Bruce Ring  
Contract Administrator

## Table of Contents

Section I	Overview.....	1
	General Information.....	1
	CalRecycle Contact Information.....	1
	Service Needed .....	1
	Contract Budget .....	1
	Payment Withhold .....	1
	Contract Term .....	1
	Process Type .....	1
	Process Schedule.....	2
Section II	Rules and Conditions .....	3
	Introduction.....	3
	Commitment .....	3
	Antitrust Claims .....	3
	Contractor's Cost .....	3
	Information .....	3
	Written Questions .....	4
	Addenda .....	4
	Unreliable List .....	4
	Negotiating State Contracts .....	4
	Electronic Waste Recycling.....	4
	Use Tax .....	4
	Small Business (SB) Preference .....	4
	Disabled Veterans Business Enterprise (DVBE) Preference.....	4
	Subcontractors.....	5
Section III	Proposal Submittal Requirements .....	7
	Modification of Submittals .....	7
	Introduction.....	7
	Deadline .....	7
	Addressing .....	7
	Number of Copies .....	7
	Document Printing .....	7
	Cover Letter .....	7
	Table of Contents.....	8
	Summary .....	8
	Methodology .....	8
	Organization.....	8
	Qualifications and Resources.....	8
	References.....	8
	Samples of Written Work .....	8
	Contractor Eligibility .....	9
	Qualification/Licenses .....	9
	Small Business (SB) Participation .....	9
	Disabled Veteran Business Enterprise Participation (DVBE) .....	9

Enterprise Zone Act (EZA).....	9
Target Area Contract Preference Act (TACPA).....	9
Local Agency Military Base Recovery Act (LAMBRA) .....	10
Maximum Combined Preferences and Rules for Award .....	10
Teleconference Participation .....	10
<b>Section IV Cost Proposal Submittal.....</b>	<b>11</b>
Evaluation .....	11
Cost Breakdown.....	11
Travel and Per Diem .....	11
<b>Section V Evaluation and Selection .....</b>	<b>12</b>
Introduction.....	12
Selection Process .....	12
Oral Interview .....	12
Grounds for Rejection.....	12
Award of Contract.....	12
Notice of Intent to Award .....	12
Rejection of Award .....	12
Proposer Notifications .....	13
Protest of Award .....	13
<b>Section VI Description of Work.....</b>	<b>14</b>
Work to be Performed.....	14
Control of Work.....	16
<b>Section VII Definition and Terms.....</b>	<b>17</b>
<b>Attachments .....</b>	<b>19</b>
Cost Proposal Sheet .....	20
Proposal Scoring Sheet .....	22
Small Business/Disabled Veteran Business Enterprises (DVBE) Participation Summary .....	23
Darfur Contracting Act .....	24
Recycled-Content Certification .....	25
Proposal Completion Checklist.....	27
Contractor Status Form .....	28
Client References .....	29

## **Section I Overview**

### **General Information**

CalRecycle promotes a zero waste California in partnership with local government, industry, and the public. This means managing the estimated 76 million tons of waste generated each year by reducing waste whenever possible, promoting the management of all materials to their highest and best use, and protecting public health and safety and the environment.

### **CalRecycle Contact Information**

Department of Resources Recycling and Recovery  
Physical Address: 1001 I Street,  
Sacramento, CA 95814  
CalRecycle Contracts Unit, MS-19A  
Mailing Address: PO Box 4025,  
Sacramento, CA 95812-4025  
Attn: Contracts Unit, MS-19A  
Phone: (916) 341-6302  
FAX: (916) 319-7345  
EMAIL: [contracts@calrecycle.ca.gov](mailto:contracts@calrecycle.ca.gov)

Any documents delivered in person must be received and time stamped in the Visitor's & Environmental Service Center located in the lobby of the CalEPA Headquarters Building at 1001 I Street, Sacramento, CA 95814.

### **Service Needed**

This Contract requires Contractor to perform an economic study, generally referred to as the cost survey, to determine the statewide weighted (by volume redeemed) average actual costs for certified recycling centers to recycle aluminum, glass, and plastics (PET #1 & HDPE #2) (collectively referred to as material types).

The cost survey will calculate 1) the separate costs by material types for certified recycling centers that do not receive a handling fee, and 2) the cost per beverage container for a) certified recycling centers that receive a handling fee, and 2) certified recycling centers that do not receive a handling fee.

### **Contract Budget**

This Contract will be split funded between Fiscal Year 2010/11 and Fiscal Year 2011/12. Subject to passage of the Fiscal Year 2011/12 Budget Act, the availability of funds and approval by CalRecycle, there is a current maximum contract budget of \$2,000,000 (two million dollars). CalRecycle reserves the right to amend the budget for this Contract as needs arise.

### **Payment Withhold**

The provisions for payment under this contract will be subject to a ten percent (10%) withholding per invoice. The withheld payment amount will be included in the final payment to the contractor and will only be released when all required work has been completed to the satisfaction of CalRecycle.

### **Liquidated Damages**

To receive award of this Contract, the selected contractor will be subject to liquidated damages if required deliverables (e.g., reports) are not submitted by the due date(s) outlined in the Scope of Work. See Section II, Commitment, *Special Terms and Conditions* for additional information.

### **Contract Term**

The term of this Contract will span approximately 13 months and is expected to begin in June 2011. CalRecycle reserves the right to amend the term of this Contract as needs arise.

### **Process Type**

Request for Proposal (RFP) Secondary Method.

**Process Schedule**

This process will be conducted according to the following tentative schedule where all times are Pacific Time

Advertisement Date	June 3, 2011
Written Questions Due by 2:00 pm	June 10, 2011
Submittals Due by 2:00 pm	June 17, 2011
Post Notice of Intent to Award	June 22, 2011
Award Contract to Winning Proposer	June 29, 2011

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## **Section II Rules and Conditions**

### **Introduction**

These are conditions that this RFP, submitting Proposers, proposals and resulting Contracts are subject to and/or required to comply with.

### **Commitment**

Upon submittal of a Proposal, the Contractor has committed to comply with the following requirements:

- All items noted in RFP documents
- Special Terms and Conditions available for viewing at [www.calrecycle.ca.gov/Contracts/Forms/SpeTermsCond.pdf](http://www.calrecycle.ca.gov/Contracts/Forms/SpeTermsCond.pdf)
- General Terms and Conditions (GTCs) available for viewing at [www.ols.dgs.ca.gov/Standard+Language](http://www.ols.dgs.ca.gov/Standard+Language).
- Contractor Certification Clauses (CCCs) available for viewing at [www.ols.dgs.ca.gov/Standard+Language](http://www.ols.dgs.ca.gov/Standard+Language).

If the Proposer fails to meet any of the requirements or comply with CalRecycle requests, CalRecycle can reject, disqualify, or remove the firm from the process. CalRecycle is not committed to awarding a Contract resulting from this RFP.

### **Antitrust Claims**

In submitting a Proposal Package to a public purchasing body, the Proposer offers and agrees that if the Proposal Package is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the Proposer for sale to the purchasing body pursuant to the Proposal Package. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the Proposer. (See Government Code Section 4552.)

If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the Proposal Package price, less the expenses incurred in obtaining that portion of the recovery. (See Government Code Section 4553.)

Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. (See Government Code Section 4554.)

### **Contractor's Cost**

All costs resulting from a contractor's participation in the RFP process are at the firm's expense. No costs incurred by a contractor participating in the RFP process will be reimbursed by CalRecycle.

### **Information**

All information obtained or produced during the course of the Contract will be made available to CalRecycle.

Any document containing information submitted by Proposer in response to this RFP that qualifies as confidential or a trade secret(s) under the Public Records Act (PRA) or the Public Contract Code (PCC) and is thus exempt from disclosure under those statutes must be prominently marked "Confidential" on each page claimed to be confidential by the Proposer prior to submission to CalRecycle. Any claims of confidentiality or trade secret(s) except as to information that qualifies as such under the PRA or PCC may result in disqualification.

CalRecycle will hold information deemed confidential or trade secret(s) by the Proposer to the extent allowable by the PRA and the PCC.

### **Written Questions**

The RFP includes a formal question and answer period in which Proposers have the opportunity to submit questions regarding the RFP. All questions must be submitted in writing either by mail, fax, or e-mail to CalRecycle Contact as listed in Section I. The questions and answers will be published in an Addendum to the RFP (see below, Addenda).

### **Addenda**

CalRecycle reserves the right to amend, alter, or change the rules and conditions of this RFP.

Any ambiguity, conflict, discrepancy, omission, or other error discovered in the RFP should immediately be reported to CalRecycle prior to the deadline for submission of written questions. CalRecycle will issue addenda to address such issues.

### **Unreliable List**

Any contractor or subcontractor currently on the CalRecycle Unreliable List, is ineligible to apply for or participate in this Contract.

### **Negotiating State Contracts**

This solicitation and any resulting contract or amendments are subject to the conditions set forth in PCC 6611.

If any of the conditions identified in PCC 6611 exist, the Department of General Services may perform contract negotiations, if it is determined to be in the best interest of the State.

### **Electronic Waste Recycling**

If the Contractor or any subcontractors participate in activities that result in the disposition of electronic components, they will comply with the provisions of PRC Chapter 8.5.

### **Use Tax**

If, during the course of the Contract, the Contractor will be involved in the re-sale of goods to the State, it must comply with the requirements of the Revenue and Taxation Code, Section 6452.1, 6487, 6487.3, 7101, and 18510, in addition to Section 10295.1 of the PCC.

### **Small Business (SB) Preference**

Consistent with California Code of Regulations Title 2 Section 1896.8, any Bidder competing in this process as a California Certified Small Business (SB), or as a non-SB certifying to subcontract a minimum of 25% of the total contract services to a California Certified SB, will receive a five percent (5%) preference. Certification must be provided by the Department of General Services (DGS), Procurement Division, Office of Small Business and DVBE Services.

CalRecycle will apply the preference per State law and as described on the DGS website at <http://www.pd.dgs.ca.gov/smbus/sbpref.htm>.

For award based on high score, the incentive is applied by calculating the "earned" score for all bidders: If the highest scored Proposal is from a non-certified small business or microbusiness, then:

1. Calculate five percent (5%) of the highest responsible bidder's total score.
2. Add the amount calculated above to the score of each bidder eligible for the SB incentive. This new amount is the total score.

Application of the incentive shall not displace an award to a small business with a non-small business.

A copy of the Bidder's SB certification must be included with the Bid Package.

### **Disabled Veterans Business Enterprise (DVBE) Preference**

Any Bidder competing in this process as a California Certified Disabled Veterans Business Enterprise (DVBE), or as a non-DVBE certifying to subcontract a minimum of 3% of the total contract services to a California Certified DVBE, will receive a preference as shown below:

1. Five (5%) and above participation level = bid will receive five percent (5%) preference.
2. Four (4%) participation level = bid will receive two percent (2%) preference.
3. Three (3%) participation level = bid will receive one percent (1%) preference.

Certification must be provided by the Department of General Services (DGS), Procurement Division, Office of Small Business and DVBE Services.

CalRecycle will apply the preference as follows:

The incentive is applied during the evaluation process and is only applied for responsive bids from responsible bidders proposing the percentage(s) of DVBE participation for the incentive(s) specified above.

For award based on high score, the incentive is applied by calculating the "earned" score for all bidders: If the highest scored proposal is from a non-certified small business or microbusiness, then:

1. Calculate five percent (5%) of the highest responsible bidder's total score.
2. Add the amount calculated above to the score of each of the bidders eligible for the DVBE incentive according to the participation levels. This new amount is the total score.

Application of the incentive shall not displace an award to a small business with a non-small business.

A copy of the Bidder's DVBE certification must be included with the Bid Package

### **Subcontractors**

All subcontractors identified in the Proposal, must be experts in their respective disciplines and capable of performing the tasks for which they are hired.

If awarded the Contract, the Contractor **must** use all of the SB and DVBE firms identified on the Small Business/DVBE Participation unless approval of a change of SB or DVBE firms is provided by CalRecycle.

CalRecycle reserves the right to pre-approve substitutions of subcontractors, as long as certified business participation levels remain unchanged. The Contractor must notify CalRecycle in writing prior to any subcontractor change(s).

CalRecycle recognizes that, although specific subcontractors may be identified to provide services under the Contract, some of the services identified in the Contract may be delivered more efficiently and/or more cost effectively by a subcontractor other than the one proposed, for example by a local subcontractor or one with whom the Contractor has a working relationship. Accordingly, CalRecycle may allow substitute subcontractors when its Contract Manager finds it is in the best interests of the State and all of the following conditions are met: 1) the service is identified in the existing contract; 2) the substitute subcontractor has demonstrated the appropriate skills necessary to perform the service; 3) the substitute subcontractor is acceptable to CalRecycle; 4) the cost to provide the service is equal to, or less than, the cost set forth in the Contract; and 4) the percentage of SB/DVBE participation for the Contract will not decrease.

Should there be a need for services that could not be anticipated, the Contractor will be required to provide a compelling justification as to why the services could not be anticipated, and why the identified team cannot provide the services. If the CalRecycle Contract Manager determines that an additional subcontractor is necessary, the rates for that subcontractor will be negotiated by the CalRecycle Contract Manager and the Contractor. No more than 5% of the total maximum Contract amount (\$2 million dollars) can be subcontracted for this purpose.

### **Confidentiality**

The Proposer receiving award of this Contract will be required to comply with the following:

The Contractor and CalRecycle understand that each party may come into possession of information and/or data that may be deemed confidential or proprietary by the person or organization furnishing the information or data. Such information or data may be subject to disclosure under the California Public Records Act (Act), commencing with Government Code § 6250 or the Public Contracts Code (PCC). CalRecycle agrees not to disclose such information or data furnished by Contractor and to maintain such information or data as confidential when so designated by Contractor in writing at the time it is furnished to CalRecycle, only to the extent that such information or data is exempt from disclosure under the Act and/or the PCC.

Contractor agrees to limit access to all confidential and proprietary documents, information and data furnished to it in the course of this Contract to those individuals whose work on this Contract requires such access. Each of Contractor's employees and each of Contractor's subcontractors and the subcontractors' employees who will have access to any confidential or proprietary documents, information and/or data must execute a confidentiality agreement with Contractor. Contractor must also offer to enter into optional separate confidentiality agreements with companies to whom it will provide services under this Contract (see Attachments J and K). Upon completion or termination of this Contract, all originals and copies of any confidential or proprietary documents, information and/or



data furnished to the Contractor in the course of this Contract will be returned to the CalRecycle Contract Manager. Contractor may retain copies of aggregations prepared from confidential or proprietary documents, information and/or data, but must ensure that the parties from whom the documents, information or data originate are not identifiable.

**Recycled-Content Certification**

The Proposer receiving award of this Contract will be required to report all State Agency Buy Recycled Campaign (SABRC) reportable purchases and the recycled content of those purchases. Attachment F (CalRecycle 74C) is required to be submitted with each invoice or annually as determined by the CalRecycle Contract Manager.

**Payments to the Contractor**

CalRecycle does not have statutory authority to make advance payments.  
Services rendered must be identified on an invoice, to be billed monthly in arrears.

**Travel and Per Diem**

Lodging, food and incidental expenses on trips in support of Contract services will be reimbursed at the following State per diem rates per 24 hour day for the length of the Contract. All travel will be reimbursed at the excluded employee travel rates in accordance with the California Code of Regulations Title 2, Division 1, Chapter 3, Subchapter 1, Article 2, Section 599.615.1 et seq. For additional details, please refer to Section IV Cost Proposal Submittal

**Equipment and Software Purchases**

Any equipment or software purchased to perform the responsibilities under the Contract are considered state property and shall be returned to CalRecycle at the end of the Contract.

## **Section III Proposal Submittal Requirements**

### **Modification of Submittals**

A Proposal submitted prior to the submittal deadline, can be withdrawn for modification by the submitting Proposer. The Proposer must:

- Provide a written request
- Identify the requesting individual and his/her authority to act on behalf of the Proposer

A Proposal cannot be withdrawn for modification or resubmitted after the submittal deadline has passed.

### **Introduction**

Failure to follow the instructions contained in this document or an error in the Proposal package may be grounds for rejection of a Proposal.

CalRecycle may reject any Proposal if it is conditional, incomplete or contains irregularities.

CalRecycle may waive an immaterial deviation or make certain corrections, if the Proposer's intent is clearly established based on review of the complete Proposal and if deemed in the best interest of CalRecycle.

### **Deadline**

The proposal package must be received by CalRecycle, at the address listed in Section I, Overview by 2:00 p.m. on June 17, 2011.

Proposals received after the deadline, will be considered late and returned to the Proposer unopened.

### **Addressing**

The Proposal package must clearly state that it is in response to RFP (DRR10073) and must state "Mailroom – do not open."

### **Number of Copies**

The Proposer is required to submit all required documents in the following format:

- One original, non-bound hard copy marked "Original" (Do not include Cost Proposal Sheet in this set)
- 5 bound, hard copies marked "Copy" (Do not include Cost Proposal Sheet in these sets)
- One electronic copy on disc or compact disc viewable by Adobe Acrobat Reader. Entire proposal, including any attachments, must be saved as a single document. (Do not include Cost Proposal Sheet in the electronic copy)

It is the submitting Proposer's responsibility to ensure that the electronic copy is formatted in Adobe Acrobat Reader and viewable by CalRecycle.

### **Document Printing**

All documents must be submitted double-sided on paper with 100% post-consumer recycled content fiber.

### **Cover Letter**

The cover letter shall be signed by an individual who is authorized to bind the Proposer and shall indicate that person's title or position. The cover letter must be on the Proposer's company letterhead and contain the following information:

- a. Name and address of the Proposer;
- b. Proposer's Headquarters for purposes of this Contract;
- c. Name, telephone number, and e-mail address of a person who can be contacted if further information is required;
- d. Name, title, address, telephone number, and e-mail address of individual(s) with authority to negotiate and execute a binding Contract on behalf of the Proposer;
- e. Proposer's statement that the personnel who will provide services under the Contract are qualified to meet the service needs and are certified if applicable.

- f. Statement attesting to the percentage of post-consumer recycled content fiber paper used in the compilation of the Proposal package.
- g. Statement stating that the Contractor and any Subcontractors to be used during the performance of the contract are eligible to contract with the State of California, pursuant to PCC 10286.
- h. List of primary's and any subcontractor(s)' business names, identification of certified SB and/or DVBE status, if applicable, corresponding OSDS Reference(s) number issued to the certified SB/DVBE by the Department of General Services.

### **Table of Contents**

The information must be organized as presented with corresponding page references.

### **Summary**

The Proposer must include a brief overview of the project and summarize the Proposer's approach to the work.

### **Methodology**

The proposal must include a Work Plan describing the methods to be employed to accomplish the project objectives. The methodology must be described in sufficient detail to allow CalRecycle staff to evaluate the methods and must address all tasks and items in the Scope of Work.

Proposals must describe how the objectives will be met and the methods the contractor will use. The description must include not only what work will be performed, but how it will be performed.

The tasks described in the Scope of Work outline a general approach for meeting the requirements; however, alternative approaches for some or all of the tasks may be proposed if they meet or exceed the requirements in meeting the project objectives.

### **Organization**

Provide a brief description of the organization's services and activities, including:

- Date of establishment
- History
- Location
- Any known conflicts of interest

### **Qualifications and Resources**

The prospective contractor must have the experience, qualifications, and resources to perform the required tasks of the project.

Each proposal must include a description of the resources to be used on the project while demonstrating an individual or team members' abilities to perform the work. The proposals must include resumes for the Project Manager, Personnel and Subcontractors, that include:

- Experience
- Knowledge of the California Beverage Container Recycling and Litter Reduction Act (Act).
- Educational Background
- Appropriate licensing

### **References**

The Proposer's team must provide a minimum of three (3) verifiable references and/or experience that support the above qualifications.

CalRecycle reserves the right to seek references in addition to the client references provided by the Proposer, as it deems necessary.

If a reference or project experience is unable to be verified, it will be disregarded.

### **Samples of Written Work**

The Proposer's team must include a copy of a verifiable written work that is similar in nature to the proposed project and deliverables.

**Contractor Eligibility**

The Proposer must include a written declaration, stating that the Contractor and any Subcontractors to be used during the performance of the contract are eligible to contract with the State of California, pursuant to PCC 10286.1. Statement may be included in the cover letter.

**Qualification/Licenses**

The Contractor shall be an individual or firm qualified to do business in California. Required documentation includes the following as applicable:

- A copy of the Proposer's registration with the Secretary of State.
- Additionally, pursuant to the California Business and Professions Code, for services of a "professional" nature requiring a professional license issued by the CA Department of Consumer Affairs, Proposers must submit a copy of the appropriate license(s) for each team member who will provide "professional" services under the contract.

**Small Business (SB) Participation**

CalRecycle expects a minimum of twenty-five percent (25%) of the project services to be contracted to a California OSDS Certified SB that performs a commercially useful function.

This goal can be achieved by a combined effort of the prime and/or any sub-contractors, which includes:

- If the Proposer is a Certified OSDS SB, as defined in Section V Definitions and Terms, the Participation Summary (see Attachments) must be completed and submitted with the proposal.
- If the Proposer has identified subcontractors to be utilized to meet this goal, the Participation Summary (see Attachments) must be completed and submitted with the proposal.

**Disabled Veteran Business Enterprise Participation (DVBE)**

CalRecycle expects a minimum of three percent (3%) of the project services to be contracted to a California OSDS Certified DVBE that performs a commercially useful function.

This goal can be achieved by a combined effort of the prime and/or any subcontractors, which includes:

- If the Proposer is a Certified OSDS DVBE, as defined in Section V, Definitions and Terms, the Participation Summary (see Attachments) must be completed and submitted with the proposal.
- If the Proposer has identified subcontractors to be utilized to meet this goal, the Participation Summary (see Attachments) must be completed and submitted with the proposal.

**Enterprise Zone Act (EZA)**

If the budget for services outlined in this announcement, exceeds \$100,000, CalRecycle will grant a preference for EZA qualified proposers.

The Proposer must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the EZA.

If the Proposer is qualified for this preference, the EZA Preference Request Form must be included in the proposal submittal.

The form may be downloaded at [www.CalRecycle.ca.gov/contracts/forms](http://www.CalRecycle.ca.gov/contracts/forms).

**Target Area Contract Preference Act (TACPA)**

If the budget for services outlined in this announcement, exceeds \$100,000, CalRecycle will grant a preference for TACPA qualified proposers.

The Proposer must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the TACPA.

If the Proposer is qualified for this preference, the TACPA Preference Request Form must be included in the proposal submittal.

The form may be downloaded at [www.CalRecycle.ca.gov/contracts/forms](http://www.CalRecycle.ca.gov/contracts/forms).

**Local Agency Military Base Recovery Act (LAMBRA)**

If the budget for services outlined in this announcement, exceeds \$100,000, CalRecycle will grant a preference for LAMBRA qualified proposers.

The Proposer must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the LAMBRA.

If the Proposer is qualified for this preference, the LAMBRA Preference Request Form must be included in the proposal submittal.

The form may be downloaded at [www.CalRecycle.ca.gov/contracts/forms](http://www.CalRecycle.ca.gov/contracts/forms).

**Maximum Combined Preferences and Rules for Award**

In combination with any other preferences (TACPA, EZA, LAMBRA, SB, DVBE participation, etc.), the maximum limit of the combined preferences is 15% of the bid amount and, in no case, more than \$100,000.00 per solicitation.

Preference programs for TACPA, EZA, LAMBRA, or the non-SB subcontracting preference cannot displace a direct award to a certified SB. In the event of a tie between a SB and a firm that is SB and DVBE, the award shall be made to the firm that is SB and DVBE.

**Teleconference Participation**

If the Proposer wishes to participate in the Teleconference noted in Section I, Schedule, the Teleconference Participation Form must be submitted, by fax or e-mail (scanned document must be viewable with Adobe Acrobat Reader), to CalRecycle Contact prior to the conference.

## **Section IV Cost Proposal Submittal**

### **Evaluation**

The Contractors cost proposal submittal will be evaluated based on whether the cost breakdown is sufficiently detailed to determine if the proposed expenses are reasonable.

### **Overview**

**The Proposal Cost must be submitted in a separate, sealed envelope by the due date identified in the Schedule of Section I.**

**The envelope must note “Proposal Cost – Do Not Open”.**

### **Cost Breakdown**

The cost proposal must specify the total cost and include detailed project costs, as required in the Cost Proposal Sheet. The winner proposer's invoices must be itemized as shown in the submitted cost sheet.

The subcontractor commitments must be identified, by task and dollar amount, and included in the task by task cost proposal submittal.

The costs identified, should take into consideration the length of the contract, rise in salaries and administrative overhead costs.

If fringe benefits and/or overhead are not specifically itemized in the Cost Proposal Sheet and if the proposer inserts a \$0, proposer must explain on the Cost Proposal Sheet why these line items are not itemized. A blank space for either fringe benefits or overhead will be grounds for immediate disqualification.

Failure to include on the Cost Proposal Sheet budgeted costs for all tasks included in the Scope of Work will be grounds for disqualification.

The cost proposal sheet is a self-contained document for purposes of calculating cost points and evaluating whether all information required by the RFP has been submitted. Therefore, all information (such as explanations of \$0 instead of itemized costs) must be included on the cost proposal sheet. Reference by incorporation to the proposal is not acceptable.

The amount identified on the cost breakdown may not be changed and will remain in effect for the life of the Contract.

### **Travel and Per Diem**

The Contractor shall be responsible for coordinating and scheduling all travel for personnel. Costs for car rental, airfare and other reasonable transportation will also be provided. The Contractor and subcontractors, if any, will travel by the least costly class and take advantage of discounts whenever possible. If the Contractor or subcontractors, if any, travel in other than the least costly class, full explanation must be submitted when invoicing for approval of payment.

Lodging, food, and incidental expenses on trips in support of services will be reimbursed at the following State per diem rates per 24 hour day for the length of the contract. All travel will be reimbursed at the excluded employee travel rates in accordance with the California Code of Regulations Title 2, Division 1, Chapter 3, Subchapter 1, Article 2, Section 599.615.1 et seq. Per diem (lodging, meals and incidentals) will not be reimbursed for travel within 50 miles of Contractor's headquarters.

- Lodging (receipts required) per day–
  - Most locations up to a maximum of \$84 plus tax
  - Counties of Los Angeles and San Diego up to a maximum of \$110 plus tax
  - Counties of Alameda, San Francisco, San Mateo and Santa Clara up to a maximum of \$140 plus tax
- Meals (breakfast, lunch and dinner) – up to a maximum of \$34 per day
- Incidentals – up to a maximum of \$6 per day.
- Coach airfare, mid-size/economy rental cars, and fuel – actual costs verified by bills or receipts. First Class or Business Class air travel is not allowed.

## **Section V Evaluation and Selection**

### **Introduction**

CalRecycle will perform a Pre-Qualification Evaluation process to ensure that the Proposer has included all required documentation in the Proposal submittal.

If a proposal package does not meet all of the requirements set forth in this RFP, it will be considered non-responsive and rejected from further competition.

Those Proposer's submittals that pass this review will be forwarded to the Selection Committee for Evaluation.

### **Selection Process**

The Selection Committee will evaluate and score all proposals passing the Pre-Qualification Evaluation utilizing the Scoring Criteria identified in this RFP.

Only those proposals that receive a score of at least the minimum requirement identified on the Scoring Sheet will be ranked.

### **Oral Interview**

If oral interviews will be conducted as part of this process, the date of the oral interviews will be within the timeframe identified in Section I Schedule.

All Proposers invited for an interview will be notified by CalRecycle of the specific date and time of the interview.

Failure to attend the interview by the Proposer will be grounds for removing the Proposer from the remainder of the process.

### **Grounds for Rejection**

All proposals may be rejected whenever the determination is made that the proposals received are not actually competitive, when the cost is not reasonable, or when the cost exceeds the amount expected.

Additionally, a proposal may be rejected if:

- It is received after the due date and time for submittal
- The cost submittal is unsigned
- The proposal cost is not prepared as required by the RFP
- The Proposer has been prohibited from contracting with the State by the Department of Fair Employment and Housing
- The Proposer has received a substantive negative contract performance from the State
- Any items required by the RFP are not included with the submittal

No proposal may be rejected arbitrarily or without reasonable cause.

### **Award of Contract**

Award of this Contract will be to the highest ranking responsible Proposer meeting all of the RFP requirements.

In the event of a tie, CalRecycle may utilize a tie breaker to determine the winning Proposer. The tie breaker will be determined based on which proposer has the most SB and DVBE participation identified in the bid package.

CalRecycle reserves the right to not award a Contract.

### **Notice of Intent to Award**

CalRecycle will post a notice of intent to award this Contract five (5) working days prior to the award being made.

Notice of the intent to award will be posted on CalRecycle's website at [www.CalRecycle.ca.gov/contracts](http://www.CalRecycle.ca.gov/contracts) and at the headquarters building noted in Section I.

### **Rejection of Award**

If the Proposer fails to enter into a satisfactory Contract within a reasonable timeframe after the award is made, CalRecycle may deem that the Proposer has rejected the award.

CalRecycle reserves the right to disqualify the awardee and award the Contract to the next highest ranked Proposer.

**Proposer Notifications**

CalRecycle will notify all Proposers of the outcome of their proposal submittals prior to posting the notice of intent to award.

**Protest of Award**

A Proposer may protest the proposed award by filing an official protest with the Department of General Services. The protest must be filed within five (5) **working** days after the notice of intent to award the contract, but before the actual award.

Within five (5) **working** days of the initial protest filing, the Proposer must submit a detailed written statement with information that supports that the Proposer would have been awarded the contract and the grounds for that position.

The Contract will not be awarded until a decision has been made on the filed protest.

The protest documents should be sent via registered mail to the following parties:

Department of General Services  
Office of Legal Services  
Attn: Protest Coordinator  
707 Third Street, 7<sup>th</sup> floor  
Sacramento, CA 95605  
Fax (916) 376-5088

CalRecycle  
Attn: Contracts Unit  
1001 I Street, MS-19A  
Sacramento, CA 95814  
Fax (916) 319-7582  
Email [contracts@CalRecycle.ca.gov](mailto:contracts@CalRecycle.ca.gov)



## Section VI Description of Work

### Work to be Performed

- 1) Contractor agrees to provide to CalRecycle technical services in conducting an economic study to determine the statewide weighted (by volume redeemed) average actual costs to recycle for certified recycling centers as described herein.
- 2) The services shall be performed throughout the State of California.
- 3) The services shall be provided from June 2011 through May 2012.
- 4) The detailed description of work to be performed and duties of all parties include:
  - a) The Contractor shall conduct a cost survey to determine the statewide weighted average actual costs, by volume redeemed by ton based on Department data sources, to recycle for certified recycling centers, excluding those centers that receive a handling fee, by material type, including aluminum, glass, and plastics (PET #1 and HDPE #2).
  - b) The Contractor shall conduct a cost survey to determine a statewide weighted average cost per each beverage container redeemed, by volume redeemed based on Department data sources, to recycle for certified recycling centers, excluding those centers that receive a handling fee.
  - c) The Contractor shall conduct a cost survey to determine a statewide weighted average cost per each beverage container redeemed, by volume redeemed based on Department data sources, to recycle for certified recycling centers that receive a handling fee.
  - e) The Contractor shall, with consultation from Department staff, develop sampling plans for each of the cost surveys referenced in items (a), (b), and (c) of this Exhibit. Sampling plans historically have been designed based on a 90 percent confidence level and a 10 percent error rate. California Code of Regulations (CCR) § 2000(a)(47) specifies that a statistical sample means an estimate with an 85 percent confidence level. Department policy specifies a 10 percent error rate.
  - f) The Contractor shall, with consultation from Department staff, update the process to ensure proper allocation of costs and labor to all applicable material types.
  - g) The Contractor shall, with consultation from Department staff, update the current Microsoft Excel-based cost survey model used in previous cost surveys, as needed.
  - h) The Contractor shall, with consultation from Department staff, update the cost survey training manual and field manual used in previous cost surveys, as needed.
  - i) The Contractor shall develop a process to ensure collection of required data from participants, including a process to ensure all reasonable measures are attempted to collect data from participants resistant to providing required financial and labor data, as needed.
  - j) The Contractor shall conduct training, with assistance from Department staff, in cost survey processes developed by the Contractor or based on current training resources.
  - k) The Contractor shall develop a quality control/peer review process to ensure quality control in the survey processes outlined in the Contractor's work plan, as needed.
  - l) The Contractor shall develop a control process to ensure confidentiality of all data specific to individual recycling centers and companies, as needed.
  - m) Based on previous cost surveys of recycling centers, the total number of sites to be selected for the cost surveys referenced in items (a), (b), and (c) of this Exhibit is estimated to be at minimum 200 sites and may exceed 300 sites. The Cost Proposal should be determined assuming 300 sites will be surveyed, identifying costs for the minimum 200 sites, plus the additional costs per survey site multiplied by 100 for the total costs of surveying 300 sites. The total cost for the minimum 200 sites and the cost for each additional site may be provided in narrative text after the "Total Costs" line on the Cost Proposal Worksheet. Note: The Cost Proposal will be scored on the total costs for surveying 300 sites.
  - n) The Contractor shall conduct audited cost surveys including, at minimum, the following:

- (1) A tour of the facility surveyed and a written description of the facility.
  - (2) Interviews of management and operational personnel to determine how the facility operates and how labor is allocated to specific operations and materials.
  - (3) A review of financial statements with all allowable expenses allocated to specified cost categories as outlined in the California Code of Regulations (CCR) §§2960 and 2990. Where applicable, costs must be directly allocated to specific material and resin types.
  - (4) A review of labor records to determine wages and hours paid to all company officers and employees.
  - (5) Allocations of labor by person or units to specific business interests with further separation for all labor allocated to recycling interest certified by the Division by CRV material types and non-CRV material types, and by material for all labor allocated to CRV material types.
  - (6) A reconciliation of labor records and financial statement expenses for labor.
  - (7) Complete and referenced work papers to document all final financial and labor data.
  - (8) A quality control/peer review process to ensure quality standards are met.
  - (9) A separate file with all work papers, notes, and final determinations of costs for each material and resin type.
- o) The Contractor shall submit all records and present and report the results of the cost survey of recycling centers, excluding those centers that receive a handling fee, as follows:
- (1) The Contractor shall consolidate data from all surveyed recycling centers, excluding those centers that receive a handling fee, and provide the data in either a Microsoft Excel or Access format.
  - (2) The Contractor shall provide a separate hardcopy file including all work papers for each completed audited cost survey.
  - (3) It is expected that the cost surveys for recycling centers scheduled with the following milestones: 25 percent of the surveys completed by the end of August 2011, 50 percent by the end of September 2011, 100 percent of the surveys should be completed by the end of November 2011.
  - (4) The Contractor shall submit complete all audited cost surveys for recycling centers, excluding those centers that receive a handling fee, by November 30, 2011.
  - (5) The Contractor shall, based on the results of individual audited cost surveys, complete a final report outlining the process used and the results of determining (a) the statewide weighted (by volume redeemed) average cost per ton for recycling centers, excluding those centers that receive a handling fee, by material and resin type, and (b) the statewide weighted (by volume redeemed) average cost per beverage container redeemed for recycling centers, excluding those centers that receive a handling fee. The Contractor shall submit a Draft Final Report by February 15, 2012, and after receiving comments from the Department, the Contractor shall submit a Final Report by February 29, 2012.
  - (6) The Contractor shall be available to present the results of the statewide weighted (by volume redeemed) average cost per ton for recycling centers, excluding those centers that receive a handling fee, by material type during any public hearings on the determination of the year 2011 processing fees and processing payments.
  - (7) The Contractor shall be available to describe the cost survey process and defend the resulting statewide weighted (by volume redeemed) average cost per ton for recycling centers, excluding those centers that receive a handling fee, by material type in any challenges to the validity of the cost survey results.
  - (8) The Contractor shall present the findings of the cost surveys and the draft final reports to the Audits and Data Analysis Division Management.
  - (9) The Contractor shall present the findings of the cost surveys and the draft final reports to CalRecycle Administration, if so requested.
  - (10) The requirement for a cost survey and determining the statewide weighted (by volume redeemed) average costs for recycling centers, excluding those centers that receive a handling fee, is based on the California Beverage Container Recycling and Litter Reduction Act (ACT) Section 14575. If there are any amendments to this section or related sections of the ACT changing the requirements to conduct a cost survey, the State shall have the option to either cancel this Agreement with no further liability accruing to the State, or offer an agreement amendment to the Contractor to reflect a revised scope of work.
- p) The Contractor shall submit all records and present and report the results of the cost survey of recycling centers that receive a handling fee as follows:
- (1) The Contractor shall consolidate data from all surveyed recycling centers that receive a handling fee and provide the data in either a Microsoft Excel or Access format.
  - (2) The Contractor shall provide a separate hardcopy file including all work papers for each completed audited cost survey.
  - (3) It is expected that the cost surveys for recycling centers that receive a handling fee be scheduled with the following milestones: 25 percent of the surveys completed by the end of September 2011, 50 percent by the end of December 2011, 75 percent by the end of January 2012, and 100 percent of the surveys should be completed by the end of February 2012.

- (4) The Contractor shall submit complete all audited cost surveys for recycling centers that receive a handling fee by February 29, 2012.
  - (5) The Contractor shall, based on the results of individual audited cost surveys, complete a final report outlining the process used and the results of determining the statewide weighted (by volume redeemed) average cost per beverage container redeemed for recycling centers that receive a handling fee. The Contractor shall submit a Draft Final Report by March 15, 2012, and after receiving comments from the Department, the Contractor shall submit a Final Report by March 31, 2012.
  - (6) The Contractor shall be available to present the results of the statewide weighted (by volume redeemed) average cost per ton for recycling centers that receive a handling fee, by material type and resin type, and the statewide weighted average cost for each beverage container redeemed during any public hearings on the determination of the year 2012 handling fees.
  - (7) The Contractor shall be available to describe the cost survey process and defend the resulting statewide weighted (by volume redeemed) average cost per ton for recycling centers that receive a handling fee, by material type and resin type, and the statewide weighted average cost for each beverage container redeemed in any challenges to the validity of the cost survey results.
  - (8) The Contractor shall present the findings of the cost surveys and the draft final reports to the Audits and Data Analysis Division Management.
  - (9) The Contractor shall present the findings of the cost surveys and the draft final reports to CalRecycle Administration, if so requested.
  - (10) The requirement for a cost survey and determining the statewide weighted (by volume redeemed) average costs for recycling centers that receive a handling fee is based on the California Beverage Container Recycling and Litter Reduction Act (ACT) Section 14585. If there are any amendments to this section or related sections of the ACT changing the requirements to conduct a cost survey, the State shall have the option to either cancel this Agreement with no further liability accruing to the State, or offer an agreement amendment to the Contractor to reflect a revised scope of work.
- q) The Contractor shall provide all personnel and staffing and all supervision of personnel for the cost surveys.
- r) The Contractor shall be responsible for coordinating and scheduling all travel for personnel.
- s) The Contractor shall submit monthly progress reports to State representative, as required, describing work performed, work status, work progress difficulties encountered, remedial action, and statement of activity anticipated subsequent to reporting period for approval prior to payment of invoices. The Contractor will be reimbursed by invoicing, in detail, all costs and charges with Contract Number and sending such documents to the designated address.

## Control of Work

- 1) CalRecycle Contract Manager has the authority to determine the quality and acceptability of the following:

- Work to be performed
- Rate and progress of the work
- Fulfillment of the services provided by the Contractor
- Compensation for services provided by the Contractor

These decisions will be deemed final and enforceable by CalRecycle Contract Manager when the Contractor fails to complete orders required by this Contract.

- 2) The Contractor will designate a Project Manager who holds the following authority:

- Act as the Contractor's Representative for work to be provided under this Contract
- Act as the Contractor's Representative regarding contractual matters relating to this Contract

If, during the course of the Contract, it is deemed necessary to replace the Project Manager, CalRecycle Contract Manager approval is required.

## **Section VII      Definition and Terms**

### **General**

Unless the context otherwise requires, wherever in this RFP or addenda, the following abbreviations and terms, or pronouns in place of them, are used, the intent and meaning shall be interpreted as provided in this Section.

Working titles having a masculine gender, such as “draftsman” and “journeyman” and the pronoun “he”, are utilized in these provisions for the sake of brevity, and are intended to refer to persons of either sex.

### **Abbreviations**

ADA	Americans with Disabilities Act
CALRECYCLE	Department of Resources Recycling and Recovery
CCR	California Code of Regulations
DVBE	Disabled Veteran Business Enterprise
EPA	Environmental Protection Agency (Federal Government)
GC	Government Code
PCC	Public Contract Code
RFP	Request for Proposals
SB	Small Business
SOW	Scope of Work
OSDS	The Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS)

### **CALRECYCLE Staff**

Staff of the Department of Resources Recycling and Recovery involved in the implementation of this contract or representatives of Consultant to the Department of Resources Recycling and Recovery as designated in the Work Orders.

### **Consultant**

The person or persons, firm, partnership, corporation, or combination thereof, which may enter into this Contract with CalRecycle to provide work pursuant to this RFP or his or their legal representatives.

### **Contract**

A legally binding agreement between the state and another entity, public or private, for the provision of goods or services; the written agreement covering performance of the work and furnishing of labor, materials, tools, and equipment in providing the work. The agreement shall include the RFP, Proposal, general and specific terms and conditions, Work Orders, and supplemental agreements which may be required to complete the work in a substantial and acceptable manner.

### **Contract Manager**

A person designated by the responsible state agency or department to manage performance under a contract.

### **Contractor**

A party contracting with the awarding agency. Vendor is often used synonymously with Contractor.

### **Director**

The Director of CalRecycle, or his/her designees. Any references to Executive Officer shall mean the Director and/or designated officer.

### **Disabled Veteran Business Enterprise (DVBE Certified)**

A business that meets all of the following criteria: (1) at least 51% of the business is owned by one or more disabled veterans or, in a business whose stock is publicly held, at least 51% or more of the stockholders are disabled veterans (2) the management and control of the business are exercised by one or more disabled veterans; (3) the business is domestically owned and its home office is in the United States; and (4) the business has been certified as a DVBE by the State of California, Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS).

### **Legal Holiday**

Those days designated as State holidays in the Government Code.

### **Project Manager**

Contractor's representative for all work performed under this Contract. All official correspondence, reports, submittals, billings, and other work done under this Contract shall be reviewed and signed by the Project Manager prior to submittal to CalRecycle.

### **Scope of Work**

The description of work required of a contractor by the awarding agency.

**Small Business (Certified)**

A business that has been certified by the Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS), as a small business as defined in GC 14837 and 2 CCR 1896.

**State**

The State of California.

**State Contract Law**

The Public Contract Code and other applicable laws that form and constitute a part of the provisions of this Contract to the same extent as if set forth herein in full.

**Subcontractor**

A person or entity which contracts with the Contractor to perform all or a portion of the work as specified in the Scope of Work.

**Resources for Developing a Proposal**

The Bidder's Library contains critical reference material for developing a response to the RFP including, but not limited to, the California Beverage Container Recycling and Litter Reduction Act; California Code of Regulation (CCR) Title 14. Natural Resources; 2009 Processing Fee and Handling Fee Cost Surveys training manuals; sample of the 2009 Allowable Cost Model; and other information to assist the Proposers in preparing a thorough and realistic response to this Solicitation. Proposers are responsible for reviewing the contents of the Bidder's Library and CalRecycle website material as if they were printed in full herein. The Bidder's Library is located on the CalRecycle website at <ftp://ftp.calrecycle.ca.gov>. Look in folder "Retain to 90 Days", then "Cost Survey", then "DRR10073". The login is "ftpuser" and the password is "crftpuser".

**Attachments**

**Cost Proposal Sheet**  
**Processing/Handling Fee Cost Surveys**  
**DRR10073**

Complete this form and submit the original in accordance with the requirements of this RFP.  
Any invoices submitted by contractor will identify line item costs and corresponding task number.

Contractor/Company Name: \_\_\_\_\_

Task #	Personnel Services: (Do not include travel or overhead) estimated # of hrs needed for contract services multiplied by the individual or position rates per hr.. (Include name/position title and hours)				Fringe Benefits (Identify fringe benefit costs citing actual benefits or as a percentage of personal services costs)	Operating Expenses (operating expenses related to the services provided in this Contract, including rent and supplies, as applicable)	Equipment Costs (Include a description of equipment)	Travel Expenses (Include travel expenses and per diem. Rates are set at the rate specified by DPA for excluded employees)	Overhead (This information must be provided)	Other (any other specific breakdown required to sufficiently explain the budget costs)	Total by Task
	Name/ Position	\$/Hr	Hrs	Total \$							
Total by Line Item	(Sum of Total \$)										GRAND TOTAL

**Acknowledgement/Authorization**

The undersigned acknowledges the submittal of this proposal constitutes an irrevocable offer for a ninety (90) day period for CalRecycle to award a Contract. Additional acknowledgement is made of receipt of all competitive documents, including Addenda, relating to this Contract.

The undersigned acknowledges that the Proposer has read all of the requirements set forth in CalRecycle documents and will comply with said provisions.

The undersigned hereby authorizes and requests any person, firm, agency, or corporation to furnish any information requested by CalRecycle in verification of the recitals comprising this Proposal and also hereby authorizes CalRecycle to contact such persons, firms, etc., in order to obtain information regarding the undersigned.

The undersigned acknowledges that there are no potential conflicts of interest, as defined in Public Contract Code (PCC) 10410, 10411, and Government Code (GC) 87100, by the submitting firm and/or any subcontractors listed in the Proposal.

I declare under penalty of perjury that the foregoing is true and correct.

Name & Title of Authorized  
Representative:

Contractor Name:

Address:

Telephone #:

City, State Zip:

Email:

Signature of Authorized Representative:

Date Signed:

If fringe benefits and/or overhead are not specifically itemized in the Cost Proposal Sheet and if the proposer inserts a \$0, the proposer must explain why these line items are not itemized. A blank space for either fringe benefits or overhead is grounds for immediate disqualification.



**Proposal Scoring Sheet**  
**Processing/Handling Fee Cost Surveys**  
 DRR10073

**To qualify, the Proposer MUST achieve a minimum subtotal (technical) score of 122.5 points (70%) in order for the cost proposal points to be applied.**

Contractor/Company Name: \_\_\_\_\_

<u>Rating/Scoring Criteria of Technical Proposal</u>	<u>Maximum Possible Points</u>	<u>Points Awarded</u>
Quality and creativity of approach, methods and resources in collecting and verifying data identified in Model Contract, Exhibit A, Scope of Work	55 pts.	_____
Thoroughness of quality control/ peer review methods	25 pts.	_____
Demonstration of previous work with state and local agencies, industries and special interest groups in conducting statewide or large-scale statistical, economic studies	25 pts.	_____
Reasonableness of project schedule	25 pts.	_____
Knowledge of the Beverage Container Recycling Program and general experience with beverage container recycling in California	15 pts.	_____
Qualifications and experience of project team committed to this project	15 pts.	_____
Demonstration of adequate controls to ensure confidentiality of participants business data	15 pts.	_____
<b>Total Possible Technical Proposal Points</b>	<b>175 pts.</b>	_____

Bid Amount	Cost Proposal Calculation	Cost Proposal Points (75 points)	Technical Proposal Total Available (175 points)	Total Proposal Score
\$ _____	\$ _____ = X 75	_____	_____	_____

Final Total Score \_\_\_\_\_

**Small Business/Disabled Veteran Business Enterprises (DVBE) Participation Summary**

MARK ONE FOR EACH FIRM USED			NAME OF FIRM	NATURE OF WORK	TOTAL AMOUNT OF WORK (Mark one for each firm used)		IS CERTIFICATION FORM ATTACHED?
PRIME BIDDER	SUBCON-TRACTOR	SUPPLIER			SMALL	DVBE	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	

The appropriate certification letter issued by the Office of Small Business and Disabled Veteran Business Enterprise Services (OSDS) can be attached for each Small and DVBE business identified.

**Darfur Contracting Act**

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a "scrutinized" company as defined in Public Contract Code section 10476.

Therefore, to be eligible to submit a bid or proposal, please complete only one of the following three paragraphs (via initials for Paragraph # 1 or Paragraph # 2, or via initials and certification for Paragraph # 3):

1. \_\_\_\_\_ We do not currently have, or we have not had within the previous  
Initials three years, business activities or other operations outside of the United States.

**OR**

2. \_\_\_\_\_ We are a scrutinized company as defined in Public Contract Code  
Initials section 10476, but we have received written permission from the Department of General Services (DGS) to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.

**OR**

3. \_\_\_\_\_ We currently have, or we have had within the previous three years,  
Initials business activities or other operations outside of the United States,  
+ certification but we certify below that we are not a scrutinized company  
below as defined in Public Contract Code section 10476.

**CERTIFICATION For # 3.**

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder to the clause listed above in # 3. This certification is made under the laws of the State of California.

<i>Proposer/Bidder Firm Name (Printed)</i>	<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	
<i>Date Executed</i>	<i>Executed in the County and State of</i>

**YOUR BID OR PROPOSAL WILL BE DISQUALIFIED UNLESS YOUR BID OR PROPOSAL INCLUDES THIS FORM WITH EITHER PARAGRAPH # 1 OR # 2 INITIALED OR PARAGRAPH # 3 INITIALED AND CERTIFIED.**

STATE OF CALIFORNIA  
Department of Resources Recycling and Recovery  
CALRECYCLE 74C (Revised 1/10 for Contracts)

To be completed by Contractor	
Name of Contractor:	
Contract #::	Work Order #:

**Recycled-Content Certification**

☐ Check this box if no products, materials, goods, or supplies were purchased with contract dollars and submit to your CalRecycle contract manager.

This form may be completed by contractor, vendor, bidder, buyer, state-contracting officer, or state purchasing agent. The form must be completed and returned to CalRecycle with a row completed for each product purchased with contract dollars. Attach additional sheets if necessary. Information must be included, even if the product does not contain recycled-content material. Product labels, catalog/website descriptions, or bid specifications may be attached to this form as a method of providing that information.

Contractor's Name \_\_\_\_\_ Date \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_  
Fax \_\_\_\_\_ E-mail \_\_\_\_\_ Web site \_\_\_\_\_

Product Manufacturer	Product Description / Brand	Purchase Amount (\$)	<sup>1</sup> Percent Postconsumer Material	<sup>2</sup> SABRC Product Category Code	Meets SABRC

Public Contract Code sections 12205 (a) (1) (2) (3) (b) (1) (2) (3)

I certify that the above information is true. I further certify that these environmental claims for recycled content regarding these products are consistent with the Federal Trade Commission's Environmental Marketing Guidelines in accordance with PCC 12205.

Print name \_\_\_\_\_ Signature \_\_\_\_\_ Company \_\_\_\_\_ Date \_\_\_\_\_

(See footnotes on the back of this page.)

1. *Postconsumer material comes from products that were bought by consumers, used, and then recycled. For example: a newspaper that has been purchased and read, next recycled, and then used to make another product would be postconsumer material.*

*If the product does not fit into any of the product categories, enter "N/A." Common N/A products include wood products, natural textiles, aggregate, concrete, electronics such as computers, TV, software on a disk or CD, telephone*

2. *Product category refers to one of the product categories listed below, into which the reportable purchase falls. For products made from multiple materials, choose the category that comprises most of the product by weight, or volume.*

Note: For reused or refurbished products, there is no minimum content requirement.

For additional information visit [www.CalRecycle.ca.gov/BuyRecycled/](http://www.CalRecycle.ca.gov/BuyRecycled/).

Code	Description	Minimum content requirement
Product Categories (11)		
1	Paper Products - Recycled	30 percent postconsumer fiber, by fiber weight
2	Printing and Writing - Recycled	30 percent postconsumer fiber, by fiber weight
3	Compost, Co-compost, and Mulch - Recycled	80 percent recovered materials. i.e., material that would otherwise be normally disposed of in a landfill
4	Glass - Recycled	10 percent postconsumer, by weight
5	Rerefined Lubricating Oil - Recycled	70 percent re-refined base oil
6a	Plastic - Recycled	10 percent postconsumer, by weight
6b	Printer or duplication cartridges	a. Have 10 percent postconsumer material, or b. Are purchased as remanufactured, or c. Are backed by a vendor-offered program that will take back the printer cartridges after their useful life and ensure that the cartridges are recycled and comply with the definition of recycled as set forth in Section 12156 of the Public Contract Code.
7	Paint - Recycled	50 percent postconsumer paint (exceptions when 50 % postconsumer content is not available or is restricted by a local air quality management district, then 10% postconsumer content may be substituted)
8	Antifreeze - Recycled	70 percent postconsumer material
9	Retreated Tires - Recycled	Use existing casing that has undergone retreading or recapping process in accordance with Public Resource Code (commencing with section 42400).
10	Tire- Derived - Recycled	50 percent postconsumer tires
11	Metals - Recycled	10 percent postconsumer, by weight

### Proposal Completion Checklist

Please use this checklist to assist in the preparation of your Proposal package to ensure that all required items are included.

- 
- ☐ Cover Letter with contact information and statements as required in the RFP.
  - ☐ Organizational information and Personnel Information (Resumes)
  - ☐ Proposal (detailed Work Plan)
  - ☐ Cost Proposal Sheet
  - ☐ Samples of Written Work
  - ☐ Client References
  - ☐ Copy of Required License(s) (Secretary of State)
  - ☐ Contractor Status Form
  - ☐ Small Business/Disabled Veteran Business Enterprise (DVBE) Participation Summary. *Form must be submitted even if participation levels are zero (write zero participation on form).*
  - ☐ Darfur Contracting Act Certification
- 

The following number of PROPOSAL packages must be submitted as the Contractor's response to this RFP:

- ☐ One (1) unbound reproducible original Proposal package marked "Original"
  - ☐ Five (5) bound copies of the Proposal package marked "Copy". Do not include the bid sheet in these copies.
  - ☐ One (1) Electronic copy of Proposal Package in Adobe Acrobat format with all documents in a single file, including the bid sheet and all other attachments.
- 

The following form is only required upon submittal as applicable pursuant to the provisions outlined in Section III, Submittal Requirements:

- ☐ Certification of Enterprise Zone Act Preference
  - ☐ Certification of Target Area Contract Preference Act
  - ☐ Certification of Local Military Base Recovery Area Act Preference
- 

The following forms are not required at the time of the proposal submission but will be required by the successful contractor during the contract period:

- ☐ Recycled Content Certification (Attachment E)
  - ☐ Payee Data Record (Standard Form 204)
- 

***Please note that if any of the items are missing from the Proposal package, the package will be considered incomplete and will be disqualified from the process.***

**Contractor Status Form**

Contractor's Name: \_\_\_\_\_ County: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Federal Employer Identification Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

**STATUS OF CONTRACTOR PROPOSING TO DO BUSINESS**

☐ Individual      ☐ Limited Partnership      ☐ General Partnership      ☐ Corporation      ☐ Other

If Individual or sole proprietorship, state the true name of sole proprietor: \_\_\_\_\_

If a Limited or General Partnership, list each partner and state their true name and interest in the partnership:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If a Corporation, state place and date of incorporation: \_\_\_\_\_

President: \_\_\_\_\_ Vice President: \_\_\_\_\_

Secretary: \_\_\_\_\_ Treasurer: \_\_\_\_\_

Other Officer: \_\_\_\_\_ Other Officer: \_\_\_\_\_

Provide explanation if claiming Other:

\_\_\_\_\_  
 \_\_\_\_\_

**SMALL BUSINESS PREFERENCE**

Are you claiming preference for small/micro business?

☐ YES – Attach approval letter from Office of Small Business Certification and Resources  
☐ NO

Are you claiming preference for DVBE?

☐ YES – Attach approval letter from Office of Small Business Certification and Resources  
☐ NO

NOTE: THIS FORM MUST BE COMPLETED OR YOUR BID MAY BE REJECTED

**Client References**

List at least three (3) client references that can attest to the Bidder's qualifications to fulfill the requirements of the Scope of Work. List the most recent first. Client references must also be provided for any subcontractors identified in the Bidder's response. Duplicate and attach additional pages as necessary.

**BIDDER / SUBCONTRACTOR'S NAME:****REFERENCE 1**

Name of Firm			
Street Address	City	State	Zip Code
Contact Person	Telephone Number		
Dates of Service	Cost of Service		
Brief Description of Service Provided			

**REFERENCE 2**

Name of Firm			
Street Address	City	State	Zip Code
Contact Person	Telephone Number		
Dates of Service	Cost of Service		
Brief Description of Service Provided			

**REFERENCE 3**

Name of Firm			
Street Address	City	State	Zip Code
Contact Person	Telephone Number		
Dates of Service	Cost of Service		
Brief Description of Service Provided			

If three references cannot be provided, explain why: